

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

BRADLEY BANOVZ,

Plaintiff,

v.

JOSEPH GULASH,

Defendant.

Case No. 07-cv-688-JPG

MEMORANDUM AND ORDER

This matter comes before the Court pursuant to an order for plaintiff Bradley Banovz to show cause issued by Magistrate Judge Wilkerson on May 21, 2009 (Doc. 19). Judge Wilkerson noted that defendant Joseph Gulash had filed a motion to dismiss this action for Banovz's failure to prosecute but that Banovz had not responded to the motion. Judge Wilkerson also noted that the Court had sent Banovz a Report and Recommendation recommending resolution of another pending motion and that the document was returned to the Court as undeliverable. Judge Wilkerson also had reason to believe Banovz was no longer incarcerated within the Illinois Department of Corrections. Indeed, a search for Banovz on IDOC's inmate search web page yields no results. Judge Wilkerson noted that the Court had warned Banovz earlier in this case about the obligation to keep the Court apprized of his current address. Finally, Judge Wilkerson ordered Banovz to show cause by June 10, 2009, why this case should not be dismissed for failure to prosecute.

Like the Report and Recommendation, Judge Wilkerson's order to show cause was returned to the Court as undeliverable with a notation that Banovz had been discharged or paroled with no forwarding address. Having adequately attempted to warn Banovz that his failure to comply with his obligation to keep the Court informed of his address and that his

failure to prosecute this case could result in dismissal of this action, the Court **DISMISSES** this case **with prejudice** pursuant to Federal Rule of Civil Procedure 41(b) and its inherent authority to manage its docket. *See In re Bluestein & Co.*, 68 F.3d 1022, 1025 (7th Cir. 1995). The Court **DIRECTS** the Clerk of Court to enter judgment accordingly.

IT IS SO ORDERED.

DATED: June 10, 2009

s/ J. Phil Gilbert
J. PHIL GILBERT
DISTRICT JUDGE